

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

IN RE:	§	Case No. 22-60020
	§	
INFOW, LLC, <i>et al.</i> ,	§	Chapter 11 (Subchapter V)
	§	
Debtors <sup>1</sup>	§	Jointly Administered

**EXPEDITED REQUEST FOR STATUS CONFERENCE**

**This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.**

**Represented parties should act through their attorney.**

**Emergency relief has been requested. If the Court considers the motion on an emergency basis, then you will have less than 21 days to answer. If you object to the requested relief or if you believe that the emergency consideration is not warranted, you should file an immediate response.**

**Relief is requested on or before May 11, 2022.**

David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker

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<sup>1</sup> The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are as follows: InfoW, LLC f/k/a Infowars, LLC (6916), IWHealth, LLC f/k/a Infowars Health, LLC (no EIN), Prison Planet TV, LLC (0005). The address for service to the Debtors is PO Box 1819, Houston, TX 77251-1819.

(collectively, Movants or Connecticut Plaintiffs) file this Expedited Request for Status Conference and provide the Court with the following information and update:

### **REQUEST FOR EMERGENCY CONSIDERATION**

The Connecticut Plaintiffs dismissed their claims against the Debtors, are no longer creditors of the Debtors, and no longer wish to participate in these bankruptcy cases. But the Debtors, against their own interest, objected to being dismissed and want to continue to prosecute the bankruptcy cases for the benefit of Alex Jones and Free Speech. Such conduct is clear evidence that these cases are not about these Debtors and their interests and are nothing more than a ruse to protect parties who have not sought relief under title 11, specifically Alex Jones and Free Speech. The Connecticut Plaintiffs request an expedited status conference to bring these issues before the Court.

Because the Connecticut Plaintiffs are no longer creditors of the Debtors, the Connecticut Plaintiffs intended to file a notice of their withdrawal of their Motion to Dismiss and cease their participation in these cases. The withdrawal of their Motion to Dismiss would sharply narrow the dispute(s) before the Court in these cases. However, while working on the withdrawals, counsel was served with the Debtors' Objections to Dismissal, attached hereto. With the Connecticut Plaintiffs' claims against the Debtors having been dismissed, there should be no further reason to jeopardize the Connecticut Plaintiffs' August 2022 trial date and force them to incur additional expenses litigating in a forum where they are not creditors. The Connecticut Plaintiffs respectfully request a status conference at the Court's earliest convenience.

### RELEVANT BACKGROUND

1. The Connecticut Plaintiffs filed multiple lawsuits against the Debtors and others in the Judicial District of Fairfield at Bridgeport, Connecticut in 2018. On March 8, 2019, this litigation was ordered to the Complex Litigation Docket of Waterbury under Case Nos. UWY-CV18-6046436S, UWY-CV18-6046437S, and UWY-CV18-6046438S, respectively, and was consolidated (globally, the Connecticut Litigation).

2. On April 17, 2022, Debtor InfoW, LLC (fka InfoWars, LLC) filed a voluntary petition for relief under chapter 11, subchapter V, of the Bankruptcy Code. On April 18, 2022, IWHealth, LLC and Prison Planet TV, LLC filed their petitions for relief under the Bankruptcy Code. The Debtors' chapter 11 cases are being jointly administered pursuant to the Court's Order for Joint Administration [Dkt. 8].

3. The Connecticut Plaintiffs filed an Emergency Motion to Dismiss Chapter 11 Cases and Objection to Debtors' Designation as Subchapter V Small Vendors on April 26, 2022 [Dkt. 36] (Motion to Dismiss). During a status conference on April 29, 2022, the Court set the Connecticut Plaintiffs' Motion to Dismiss, along with two others, for hearing on May 27, 2022 at 9:00 a.m.

4. After careful consideration of the Debtors' filings and the comments and questions of this Court, on May 2, 2022, the Connecticut Plaintiffs filed Notices of Dismissal of Claims against Removing Defendants InfoW, LLC (fka InfoWars, LLC), Infowars Health, LLC (aka IWHealth, LLC) and Prison Planet TV, LLC in the Connecticut Litigation (the Dismissals of Connecticut Claims). The Dismissals of Connecticut Claims were filed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041. True and correct copies of the Dismissals of Connecticut Claims are attached as **Exhibit A**. Like a notice of non-suit filed under the Texas Rules of Civil

Procedure, a Rule 41(a)(1)(A)(i) dismissal operates automatically when filed; no court action is required for the dismissal to be effective. *See, e.g., Thorp v. Scarne*, 599 F.2d 1169, 1171 n.1 (2d Cir. 1979) (“The law is settled that the filing of a notice of dismissal under Rule 41(a)(1)(i) automatically terminates the lawsuit. No action by the court is necessary to effectuate the dismissal.”).

5. Instead of accepting and welcoming the Dismissals of Connecticut Claims as providing the relief from litigation they claimed to be seeking, on May 3, 2022, the Debtors filed Objections and Notices of Intent to File More Particular Responses to the Notices of Voluntary Dismissal filed by the Plaintiffs (the Debtor Objections to Dismissals). True and correct copies of the Debtor Objections to Dismissal are attached as **Exhibit B**.<sup>2</sup>

6. As stated above, the Connecticut Plaintiffs dismissed these Debtors because participating in these bankruptcy cases will divert vast resources and frustrate their true purpose, which is to proceed to try their cases against Alex Jones and Free Speech Systems, LLC. Significant resources would need to be devoted by the Connecticut Plaintiffs to prosecute their Motion to Dismiss currently set for hearing on May 27, 2022. However, they cannot cease participation in these cases because, against their own interest, the Debtors contest the Dismissals of the Connecticut Claims. Preparation for the May 27 hearings on the Motion to Dismiss will be time consuming and costly. The Connecticut Plaintiffs respectfully request a status conference as soon as possible in the hopes of not incurring additional expenses related to hearing preparation.

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<sup>2</sup> The filing of the Debtor Objections to Dismissal is against the interest of the Debtors, showing once again that this bankruptcy is being used for the ulterior purposes of third parties.

7. The Connecticut Plaintiffs believe expedited consideration is warranted given the Debtors' highly unusual response to no longer being a party to litigation in Connecticut.

#### **PRAYER**

For these reasons, the Connecticut Plaintiffs respectfully ask the Court to schedule a status conference in these cases at its earliest convenience.

Respectfully submitted this 6th day of May 2022.

/s/ Ryan E. Chapple  
Ryan E. Chapple  
State Bar No. 24036354  
Email: rchapple@estrial.com  
**CAIN & SKARNULIS PLLC**  
303 Colorado Street, Suite 2850  
Austin, Texas 78701  
512-477-5000  
512-477-5011—Facsimile

and

Randy W. Williams  
State Bar No. 21566850  
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**BYMAN & ASSOCIATES PLLC**  
7924 Broadway, Suite 104  
Pearland, Texas 77581  
281-884-9262  
**ATTORNEYS FOR**  
**CONNECTICUT PLAINTIFFS**

#### **CERTIFICATE OF ACCURACY**

I hereby certify that the foregoing statements are true and accurate to the best of my knowledge and belief. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

/s/ Ryan E. Chapple  
Ryan E. Chapple

### **CERTIFICATE OF CONFERENCE**

I hereby certify, as counsel for Movants, my firm has attempted to confer with Debtors' counsel, and Debtors' counsel has not responded to the conference request.

/s/ Ryan E. Chapple  
Ryan E. Chapple

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Request for Status Conference has been served on counsel for Debtors, Debtors, and all parties receiving or entitled to notice through CM/ECF on this 6th day of May 2022.

/s/ Ryan E. Chapple  
Ryan E. Chapple

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

IN RE:	§	Case No. 22-60020
	§	
INFOW, LLC, <i>et al.</i> ,	§	Chapter 11 (Subchapter V)
	§	
Debtors <sup>1</sup>	§	Jointly Administered

# EXHIBIT A

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<sup>1</sup> The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are as follows: InfoW, LLC f/k/a Infowars, LLC (6916), IWHealth, LLC f/k/a Infowars Health, LLC (no EIN), Prison Planet TV, LLC (0005). The address for service to the Debtors is PO Box 1819, Houston, TX 77251-1819.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION

ERICA LAFFERTY; DAVID WHEELER;	)	
FRANCINE WHEELER; JACQUELINE	)	
BARDEN; MARK BARDEN; NICOLE	)	Adv. Pro. No. 22-05004 (JAM)
HOCKLEY; IAN HOCKLEY; JENNIFER	)	
HENSEL; JEREMY RICHMAN; DONNA SOTO;	)	
CARLEE SOTO-PARISI; CARLOS	)	
M. SOTO; JILLIAN SOTO; AND WILLIAM	)	
ALDENBERG; RICHARD M. COAN, TRUSTEE	)	
OF THE BANKRUPTCY ESTATE OF ERICA L.	)	
GARBATINI F/K/A ERICA LAFFERTY	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ALEX EMRIC JONES; INFOWARS, LLC; FREE	)	
SPEECH SYSTEMS, LLC; INFOWARS HEALTH,	)	
LLC; PRISON PLANET TV, LLC; WOLFGANG	)	
HALBIG; CORY T. SKLANKA; GENESIS	)	
COMMUNICATIONS NETWORK, INC.; and	)	
MIDAS RESOURCES, INC.,	)	
	)	
Defendants.	)	

**NOTICE OF DISMISSAL OF CLAIMS AGAINST REMOVING DEFENDANTS  
INFOWARS LLC (aka INFOW, LLC), INFOWARS HEALTH, LLC (aka IWHealth,  
LLC) AND PRISON PLANET TV, LLC<sup>1</sup>**

<sup>1</sup> There are three consolidated cases in the Connecticut Superior Court: *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S). These cases were abusively removed to this Court under names and docket numbers *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006). This identical Notice of Dismissal is being filed in all three bankruptcy cases: 22-05004, 22-05005, and 22-05006.



Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041, all of the plaintiffs in these three removed actions hereby voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC.<sup>2</sup>

Stated with more specificity, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos M. Soto, Jillian Soto, William Aldenberg, William Sherlach, Robert Parker, Erica L. Garbatini f/k/a Erica Lafferty, and Richard M. Coan as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini<sup>3</sup> (hereafter “the plaintiffs”) voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC in these three removed cases (Connecticut Superior Court title and docket numbers *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S), now docketed in this Court as *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006)).

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<sup>2</sup> See *Williams v. MESA Underwriters Specialty Ins. Co.*, 538 F. Supp. 3d 234, 236 n.2 (D. Conn. 2021) (Dooley, J.) (appropriate to use Rule 41 to dismiss all claims against a particular defendant); *LeFevre v. Fishers Island Ferry Dist.*, 2018 WL 3025039, at \*3 (D. Conn. June 18, 2018) (Bolden, J.) (same); *Juliano v. Grand Hyatt New York, Inc.*, 2018 WL 1069578, at \*2-3 (D. Conn. Feb. 27, 2018) (Bolden, J.) (same); *Morrison v. City of Middletown*, 2006 WL 1455607, at \*1 (D. Conn. May 23, 2006) (Hall, J.) (same); *Alston v. Pafumi*, 2011 WL 1885676, at \*1 (D. Conn. May 18, 2011) (Haight, J.) (same); *Grace v. Plank*, 2007 WL 4224221, at \*5 (D. Conn. Nov. 27, 2007) (Underhill, J.) (same); *Guigliano v. Danbury Hosp.*, 396 F. Supp. 2d 220, 224-25 (D. Conn. 2005) (Chatigny, J.) (same).

<sup>3</sup> Ms. Lafferty-Garbatini was at one time a party plaintiff to the consolidated actions, and Mr. Coan was then substituted for her as party plaintiff. The removing defendants incorrectly named Ms. Lafferty (and not Mr. Coan) as a plaintiff in the notice of removal, and Ms. Lafferty’s inclusion on this dismissal is unnecessary and superfluous. Nonetheless, to ensure that it is crystal clear that this dismissal is fully effective as to the Lafferty claims, this dismissal is made on behalf of both Ms. Lafferty-Garbatini and Mr. Coan.

This dismissal is as to the plaintiffs' claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC only. The plaintiffs maintain each and all of their claims against the other defendants in these actions: Alex Emric Jones; Free Speech Systems, LLC; and Genesis Communications Network, Inc.

This dismissal is made unilaterally by the plaintiffs, is not the result of any agreement between the plaintiffs and the defendants in this action, and is made without consideration of any kind from the defendants in this action. This dismissal is without prejudice and without costs.

Dated: Bridgeport, Connecticut  
May 2, 2022

By: /s/ Alinor C. Sterling  
Alinor C. Sterling (Fed. Bar No. ct17207)  
Christopher M. Mattei (Fed. Bar No. ct27500)  
Koskoff, Koskoff & Bieder P.C.  
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*Counsel for the Plaintiffs*<sup>4</sup>

By: /s/ Eric Goldstein  
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[jsignor@goodwin.com](mailto:jsignor@goodwin.com)  
*Counsel for the Individual Plaintiffs*<sup>5</sup>

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<sup>4</sup>Koskoff, Koskoff & Bieder represents all of the plaintiffs, including Richard M. Coan solely in his capacity as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini.

<sup>5</sup>In connection with this proceeding, Shipman & Goodwin LLP represents Erica L. Garbatini f/k/a Erica Lafferty, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos Mathew Soto, Jillian Soto, William Aldenberg, William Sherlach, and Robert Parker (collectively, the “Individual Plaintiffs”).

**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by First Class mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

I further certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was also served via U.S. First Class prepaid postage on the following parties listed below:

Wolfgang Halbig  
25526 Hawks Run Lane  
Sorrento, FL 32776

Cory T. Sklanka  
515 Gracey Avenue  
Meriden, CT 06451

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent for  
Service  
190 Cobblestone Lane  
Burnsville, MN 55337

Midas Resources, Inc.  
Attn. Officer, Managing Agent or Agent for  
Service  
190 Cobblestone Lane  
Burnsville, MN 55337

Norman A. Pattis  
Pattis & Smith, LLC  
383 Orange Street  
1<sup>st</sup> Floor  
New Haven, CT 06511

James H. Fetzer, PH.D.  
800 Violet Lane  
Oregon, WI 53575

/s/ Alinor C. Sterling  
ALINOR C. STERLING  
CHRISTOPHER M. MATTEI

/s/ Eric Goldstein  
ERIC GOLDSTEIN  
JESSICA M. SIGNOR

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION

WILLIAM SHERLACH,	)	
	)	
Plaintiff,	)	Adv. Pro. No. 22-05005 (JAM)
	)	
v.	)	
	)	
ALEX EMRIC JONES; INFOWARS, LLC; FREE	)	
SPEECH SYSTEMS, LLC; INFOWARS HEALTH,	)	
LLC; PRISON PLANET TV, LLC; WOLFGANG	)	
HALBIG; CORY T. SKLANKA; GENESIS	)	
COMMUNICATIONS NETWORK, INC.; and	)	
MIDAS RESOURCES, INC.,	)	
	)	
Defendants.	)	
	)	

**NOTICE OF DISMISSAL OF CLAIMS AGAINST REMOVING DEFENDANTS  
INFOWARS LLC (aka INFOW, LLC), INFOWARS HEALTH, LLC (aka IWHealth,  
LLC) AND PRISON PLANET TV, LLC<sup>1</sup>**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041, all of the plaintiffs in these three removed actions hereby voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC.<sup>2</sup>

<sup>1</sup> There are three consolidated cases in the Connecticut Superior Court: *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S). These cases were abusively removed to this Court under names and docket numbers *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006). This identical Notice of Dismissal is being filed in all three bankruptcy cases: 22-05004, 22-05005, and 22-05006.

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Stated with more specificity, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos M. Soto, Jillian Soto, William Aldenberg, William Sherlach, Robert Parker, Erica L. Garbatini f/k/a Erica Lafferty, and Richard M. Coan as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini<sup>3</sup> (hereafter “the plaintiffs”) voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC in these three removed cases (Connecticut Superior Court title and docket numbers *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S), now docketed in this Court as *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006)).

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This dismissal is made unilaterally by the plaintiffs, is not the result of any agreement between the plaintiffs and the defendants in this action, and is made without consideration of any kind from the defendants in this action. This dismissal is without prejudice and without costs.

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Dated: Bridgeport, Connecticut  
May 2, 2022

By: /s/ Alinor C. Sterling  
Alinor C. Sterling (Fed. Bar No. ct17207)  
Christopher M. Mattei (Fed. Bar No. ct27500)  
Koskoff, Koskoff & Bieder P.C.  
350 Fairfield Ave.  
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*Counsel for the Plaintiffs*<sup>4</sup>

By: /s/ Eric Goldstein  
Eric Goldstein (Fed. Bar No. ct27195)  
Jessica M. Signor (Fed. Bar No. ct30066)  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06013  
Telephone: (860) 251-5000  
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Email: [egoldstein@goodwin.com](mailto:egoldstein@goodwin.com)  
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*Counsel for the Individual Plaintiffs*<sup>5</sup>

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<sup>4</sup>Koskoff, Koskoff & Bieder represents all of the plaintiffs, including Richard M. Coan solely in his capacity as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini.

<sup>5</sup>In connection with this proceeding, Shipman & Goodwin LLP represents Erica L. Garbatini f/k/a Erica Lafferty, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos Mathew Soto, Jillian Soto, William Aldenberg, William Sherlach, and Robert Parker (collectively, the “Individual Plaintiffs”).



**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by First Class mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

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25526 Hawks Run Lane  
Sorrento, FL 32776

Cory T. Sklanka  
515 Gracey Avenue  
Meriden, CT 06451

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent for  
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190 Cobblestone Lane  
Burnsville, MN 55337

Midas Resources, Inc.  
Attn. Officer, Managing Agent or Agent for  
Service  
190 Cobblestone Lane  
Burnsville, MN 55337

Norman A. Pattis  
Pattis & Smith, LLC  
383 Orange Street  
1<sup>st</sup> Floor  
New Haven, CT 06511

James H. Fetzer, PH.D.  
800 Violet Lane  
Oregon, WI 53575

/s/ Alinor C. Sterling  
ALINOR C. STERLING  
CHRISTOPHER M. MATTEI

/s/ Eric Goldstein  
ERIC GOLDSTEIN  
JESSICA M. SIGNOR

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION

WILLIAM SHERLACH & ROBERT PARKER,	)	
	)	
Plaintiffs,	)	Adv. Pro. No. 22-05006 (JAM)
	)	
v.	)	
	)	
ALEX EMRIC JONES; INFOWARS, LLC; FREE	)	
SPEECH SYSTEMS, LLC; INFOWARS HEALTH,	)	
LLC; PRISON PLANET TV, LLC; WOLFGANG	)	
HALBIG; CORY T. SKLANKA; GENESIS	)	
COMMUNICATIONS NETWORK, INC.; and	)	
MIDAS RESOURCES, INC.,	)	
	)	
Defendants.	)	
	)	

**NOTICE OF DISMISSAL OF CLAIMS AGAINST REMOVING DEFENDANTS  
INFOWARS LLC (aka INFOW, LLC), INFOWARS HEALTH, LLC (aka IWHealth,  
LLC) AND PRISON PLANET TV, LLC<sup>1</sup>**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041, all of the plaintiffs in these three removed actions hereby voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC.<sup>2</sup>

<sup>1</sup> There are three consolidated cases in the Connecticut Superior Court: *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S). These cases were abusively removed to this Court under names and docket numbers *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006). This identical Notice of Dismissal is being filed in all three bankruptcy cases: 22-05004, 22-05005, and 22-05006.

<sup>2</sup> See *Williams v. MESA Underwriters Specialty Ins. Co.*, 538 F. Supp. 3d 234, 236 n.2 (D. Conn. 2021) (Dooley, J.) (appropriate to use Rule 41 to dismiss all claims against a particular defendant); *LeFevre v. Fishers Island Ferry Dist.*, 2018 WL 3025039, at \*3 (D. Conn. June 18, 2018) (Bolden, J.) (same); *Juliano v. Grand Hyatt New York, Inc.*, 2018 WL 1069578, at \*2-3 (D. Conn. Feb. 27, 2018) (Bolden, J.) (same); *Morrison v. City of Middletown*, 2006 WL 1455607, at \*1 (D. Conn. May 23, 2006) (Hall, J.) (same); *Alston v. Pafumi*, 2011 WL 1885676, at \*1 (D. Conn. May 18, 2011) (Haight, J.) (same); *Grace v. Plank*, 2007 WL 4224221, at \*5 (D. Conn. Nov. 27, 2007) (Underhill, J.) (same); *Guigliano v. Danbury Hosp.*, 396 F. Supp. 2d 220, 224-25 (D. Conn. 2005) (Chatigny, J.) (same).

Stated with more specificity, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos M. Soto, Jillian Soto, William Aldenberg, William Sherlach, Robert Parker, Erica L. Garbatini f/k/a Erica Lafferty, and Richard M. Coan as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini<sup>3</sup> (hereafter “the plaintiffs”) voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC in these three removed cases (Connecticut Superior Court title and docket numbers *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S), now docketed in this Court as *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006)).

This dismissal is as to the plaintiffs’ claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC only. The plaintiffs maintain each and all of their claims against the other defendants in these actions: Alex Emric Jones; Free Speech Systems, LLC; and Genesis Communications Network, Inc.

This dismissal is made unilaterally by the plaintiffs, is not the result of any agreement between the plaintiffs and the defendants in this action, and is made without consideration of any kind from the defendants in this action. This dismissal is without prejudice and without costs.

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<sup>3</sup> Ms. Lafferty-Garbatini was at one time a party plaintiff to the consolidated actions, and Mr. Coan was then substituted for her as party plaintiff. The removing defendants incorrectly named Ms. Lafferty (and not Mr. Coan) as a plaintiff in the notice of removal, and Ms. Lafferty’s inclusion on this dismissal is unnecessary and superfluous. Nonetheless, to ensure that it is crystal clear that this dismissal is fully effective as to the Lafferty claims, this dismissal is made on behalf of both Ms. Lafferty-Garbatini and Mr. Coan.

Dated: Bridgeport, Connecticut  
May 2, 2022

By: /s/ Alinor C. Sterling  
Alinor C. Sterling (Fed. Bar No. ct17207)  
Christopher M. Mattei (Fed. Bar No. ct27500)  
Koskoff, Koskoff & Bieder P.C.  
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[cmattei@koskoff.com](mailto:cmattei@koskoff.com)  
*Counsel for the Plaintiffs*<sup>4</sup>

By: /s/ Eric Goldstein  
Eric Goldstein (Fed. Bar No. ct27195)  
Jessica M. Signor (Fed. Bar No. ct30066)  
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[jsignor@goodwin.com](mailto:jsignor@goodwin.com)  
*Counsel for the Individual Plaintiffs*<sup>5</sup>

---

<sup>4</sup>Koskoff, Koskoff & Bieder represents all of the plaintiffs, including Richard M. Coan solely in his capacity as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini.

<sup>5</sup>In connection with this proceeding, Shipman & Goodwin LLP represents Erica L. Garbatini f/k/a Erica Lafferty, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos Mathew Soto, Jillian Soto, William Aldenberg, William Sherlach, and Robert Parker (collectively, the “Individual Plaintiffs”).

**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by First Class mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

I further certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was also served via U.S. First Class prepaid postage on the following parties listed below:

Wolfgang Halbig  
25526 Hawks Run Lane  
Sorrento, FL 32776

Cory T. Sklanka  
515 Gracey Avenue  
Meriden, CT 06451

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent for  
Service  
190 Cobblestone Lane  
Burnsville, MN 55337

Midas Resources, Inc.  
Attn. Officer, Managing Agent or Agent for  
Service  
190 Cobblestone Lane  
Burnsville, MN 55337

Norman A. Pattis  
Pattis & Smith, LLC  
383 Orange Street  
1<sup>st</sup> Floor  
New Haven, CT 06511

James H. Fetzer, PH.D.  
800 Violet Lane  
Oregon, WI 53575

/s/ Alinor C. Sterling  
ALINOR C. STERLING  
CHRISTOPHER M. MATTEI

/s/ Eric Goldstein  
ERIC GOLDSTEIN  
JESSICA M. SIGNOR

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

IN RE:	§	Case No. 22-60020
	§	
INFOW, LLC, <i>et al.</i> ,	§	Chapter 11 (Subchapter V)
	§	
Debtors <sup>1</sup>	§	Jointly Administered

# EXHIBIT B

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<sup>1</sup> The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are as follows: InfoW, LLC f/k/a Infowars, LLC (6916), IWHealth, LLC f/k/a Infowars Health, LLC (no EIN), Prison Planet TV, LLC (0005). The address for service to the Debtors is PO Box 1819, Houston, TX 77251-1819.



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION**

ERICA LAFFERTY; DAVID WHEELER;  
FRANCINE WHEELER; JACQUELINE  
BARDEN; MARK BARDEN; NICOLE  
HOCKLEY; IAN HOCKLEY; JENNIFER  
HENSEL; JEREMY RICHMAN; DONNA  
SOTO; CARLEE SOTO-PARISI; CARLOS  
M. SOTO; JILLIAN SOTO; AND WILLIAM  
ALDENBERG,

Plaintiffs,

v.

ALEX EMRIC JONES; INFOWARS, LLC;  
FREE SPEECH SYSTEMS, LLC;  
INFOWARS HEALTH, LLC; PRISON  
PLANET TV, LLC; WOLFGANG  
HALBIG; CORY T. SKLANKA; GENESIS  
COMMUNICATIONS NETWORK, INC.;  
and MIDAS RESOURCES, INC.,

Defendants.

ADV. PROC. NO. 22-05004

May 3, 2022

**OBJECTION AND NOTICE OF INTENTION TO FILE A MORE PARTICULAR  
RESPONSE TO THE NOTICE OF VOLUNTARY DISMISSAL BY THE PLAINTIFFS**

Defendants InfoW, LLC (f/k/a Infowars, LLC), IWHealth, LLC (f/k/a Infowars Health, LLC), and Prison Planet TV, LLC (the “Debtors”), hereby file this Notice of Objection and Notice of Intention To File A More Particular Response to the Plaintiffs’ notice of voluntary dismissal, as follows:

1. Debtors, as Defendants in this Adversary Proceeding, deny that a dismissal pursuant to Rule 9041 is proper and is not an automatic dismissal binding on this Court.

2. Debtors, as Defendants in this Adversary Proceeding, intend to file a more particular response containing the factual and legal bases for this objection promptly and request an opportunity, on notice to all parties, to present this objection to the Court for consideration.
3. Significant and unnecessary costs and expenses will be incurred, as well as significant confusion regarding the Court's otherwise unquestionable jurisdiction over these Debtors as Defendants in the removed Adversary Proceeding if the Plaintiffs, without this Court's order or guidance, attempt to invoke the jurisdiction of the state court notwithstanding all of the pending matters before the Court and those pending in the "home" Court in Texas.

Thus, the Debtors respectfully request the above relief and an opportunity to be heard on the Plaintiffs' pleadings, and for such other and further relief to which the Debtors may be justly entitled at law and in equity.

Date: May 3, 2022

Respectfully Submitted,

**DEFENDANTS AND DEBTORS, INFOW, LLC  
IWHEALTH, LLC PRISON PLANET, LLC**

By: /s/ Cameron L. Atkinson /s/  
Cameron L. Atkinson (ct31219)  
PATTIS & SMITH, LLC  
383 Orange Street  
New Haven, CT 06511  
V: 203-393-3017  
F: 203-393-9745  
[catkinson@pattisandsmith.com](mailto:catkinson@pattisandsmith.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that on the date of filing, a true and correct copy of the foregoing document was served by U.S.P.S. and, where indicated, email on the following parties:

Attn: Eric Goldstein, Jessica M. Signor  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06013  
[egoldstein@goodwin.com](mailto:egoldstein@goodwin.com)  
[jsignor@goodwin.com](mailto:jsignor@goodwin.com)

Attn: Alinor C. Sterlin, Christopher Mattei,  
Matthew Blumenthal  
Koskoff Koskoff & Bieder  
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Attn: Ray Bataglia  
Law Office of Ray Battaglia, PLLC  
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San Antonio, TX  
[rbattagliaw@outlook.com](mailto:rbattagliaw@outlook.com)

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent  
for Service  
190 Cobblestone Lane  
Burnsville, MN 55337

/s/Cameron L. Atkinson

Cameron L. Atkinson

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION**

WILLIAM SHERLACH,

Plaintiffs,

v.

ALEX EMRIC JONES; INFOWARS, LLC;  
FREE SPEECH SYSTEMS, LLC;  
INFOWARS HEALTH, LLC; PRISON  
PLANET TV, LLC; WOLFGANG  
HALBIG; CORY T. SKLANKA; GENESIS  
COMMUNICATIONS NETWORK, INC.;  
and MIDAS RESOURCES, INC.,

Defendants.

ADV. PROC. NO. 22-05005

May 3, 2022

**OBJECTION AND NOTICE OF INTENTION TO FILE A MORE PARTICULAR  
RESPONSE TO THE NOTICE OF VOLUNTARY DISMISSAL BY THE PLAINTIFFS**

Defendants InfoW, LLC (f/k/a Infowars, LLC), IWHealth, LLC (f/k/a Infowars Health, LLC), and Prison Planet TV, LLC (the “Debtors”), hereby file this Notice of Objection and Notice of Intention To File A More Particular Response to the Plaintiffs’ notice of voluntary dismissal, as follows:

1. Debtors, as Defendants in this Adversary Proceeding, deny that a dismissal pursuant to Rule 9041 is proper and is not an automatic dismissal binding on this Court.

2. Debtors, as Defendants in this Adversary Proceeding, intend to file a more particular response containing the factual and legal bases for this objection promptly and request an opportunity, on notice to all parties, to present this objection to the Court for consideration.
3. Significant and unnecessary costs and expenses will be incurred, as well as significant confusion regarding the Court's otherwise unquestionable jurisdiction over these Debtors as Defendants in the removed Adversary Proceeding if the Plaintiffs, without this Court's order or guidance, attempt to invoke the jurisdiction of the state court notwithstanding all of the pending matters before the Court and those pending in the "home" Court in Texas.

Thus, the Debtors respectfully request the above relief and an opportunity to be heard on the Plaintiffs' pleadings, and for such other and further relief to which the Debtors may be justly entitled at law and in equity.

Date: May 3, 2022

Respectfully Submitted,

**DEFENDANTS AND DEBTORS, INFOW, LLC  
IWHEALTH, LLC PRISON PLANET, LLC**

By: /s/ Cameron L. Atkinson /s/  
Cameron L. Atkinson (ct31219)  
PATTIS & SMITH, LLC  
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[catkinson@pattisandsmith.com](mailto:catkinson@pattisandsmith.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that on the date of filing, a true and correct copy of the foregoing document was served by U.S.P.S. and, where indicated, email on the following parties:

Attn: Eric Goldstein, Jessica M. Signor  
Shipman & Goodwin LLP  
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[jsignor@goodwin.com](mailto:jsignor@goodwin.com)

Attn: Alinor C. Sterlin, Christopher Mattei,  
Matthew Blumenthal  
Koskoff Koskoff & Bieder  
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San Antonio, TX  
[rbattagliaw@outlook.com](mailto:rbattagliaw@outlook.com)

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent  
for Service  
190 Cobblestone Lane  
Burnsville, MN 55337

/s/Cameron L. Atkinson

Cameron L. Atkinson

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
BRIDGEPORT DIVISION**

WILLIAM SHERLACH & ROBERT PARKER,

Plaintiffs,

v.

ALEX EMRIC JONES; INFOWARS, LLC;  
FREE SPEECH SYSTEMS, LLC;  
INFOWARS HEALTH, LLC; PRISON  
PLANET TV, LLC; WOLFGANG  
HALBIG; CORY T. SKLANKA; GENESIS  
COMMUNICATIONS NETWORK, INC.;  
and MIDAS RESOURCES, INC.,

Defendants.

ADV. PROC. NO. 22-05006

May 3, 2022

**OBJECTION AND NOTICE OF INTENTION TO FILE A MORE PARTICULAR  
RESPONSE TO THE NOTICE OF VOLUNTARY DISMISSAL BY THE PLAINTIFFS**

Defendants InfoW, LLC (f/k/a Infowars, LLC), IWHealth, LLC (f/k/a Infowars Health, LLC), and Prison Planet TV, LLC (the “Debtors”), hereby file this Notice of Objection and Notice of Intention To File A More Particular Response to the Plaintiffs’ notice of voluntary dismissal, as follows:

1. Debtors, as Defendants in this Adversary Proceeding, deny that a dismissal pursuant to Rule 9041 is proper and is not an automatic dismissal binding on this Court.

2. Debtors, as Defendants in this Adversary Proceeding, intend to file a more particular response containing the factual and legal bases for this objection promptly and request an opportunity, on notice to all parties, to present this objection to the Court for consideration.
3. Significant and unnecessary costs and expenses will be incurred, as well as significant confusion regarding the Court's otherwise unquestionable jurisdiction over these Debtors as Defendants in the removed Adversary Proceeding if the Plaintiffs, without this Court's order or guidance, attempt to invoke the jurisdiction of the state court notwithstanding all of the pending matters before the Court and those pending in the "home" Court in Texas.

Thus, the Debtors respectfully request the above relief and an opportunity to be heard on the Plaintiffs' pleadings, and for such other and further relief to which the Debtors may be justly entitled at law and in equity.

Date: May 3, 2022

Respectfully Submitted,

**DEFENDANTS AND DEBTORS, INFOW, LLC  
IWHEALTH, LLC PRISON PLANET, LLC**

By: /s/ Cameron L. Atkinson /s/  
Cameron L. Atkinson (ct31219)  
PATTIS & SMITH, LLC  
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V: 203-393-3017  
F: 203-393-9745  
[catkinson@pattisandsmith.com](mailto:catkinson@pattisandsmith.com)



### **CERTIFICATE OF SERVICE**

I hereby certify that on the date of filing, a true and correct copy of the foregoing document was served by U.S.P.S. and, where indicated, email on the following parties:

Attn: Eric Goldstein, Jessica M. Signor  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, CT 06013  
[egoldstein@goodwin.com](mailto:egoldstein@goodwin.com)  
[jsignor@goodwin.com](mailto:jsignor@goodwin.com)

Attn: Alinor C. Sterlin, Christopher Mattei,  
Matthew Blumenthal  
Koskoff Koskoff & Bieder  
350 Fairfield Avenue  
Bridgeport, CT 06604  
[asterling@koskoff.com](mailto:asterling@koskoff.com)  
[cmattei@koskoff.com](mailto:cmattei@koskoff.com)  
[mblumenthal@koskoff.com](mailto:mblumenthal@koskoff.com)

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[rjshannon@parkinslee.com](mailto:rjshannon@parkinslee.com)

Attn: Eric Henzy  
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Law Office of Ray Battaglia, PLLC  
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San Antonio, TX  
[rbattagliaw@outlook.com](mailto:rbattagliaw@outlook.com)

Genesis Communications Network, Inc.  
Attn. Officer, Managing Agent or Agent  
for Service  
190 Cobblestone Lane  
Burnsville, MN 55337

/s/Cameron L. Atkinson

Cameron L. Atkinson

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

IN RE:	§	Case No. 22-60020
	§	
INFOW, LLC, <i>et al.</i> ,	§	Chapter 11 (Subchapter V)
	§	
Debtors <sup>1</sup>	§	Jointly Administered

**ORDER SETTING STATUS CONFERENCE**

Upon the request (Request) of David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, Richard M. Coan, Trustee of the Bankruptcy Estate of Erica Lafferty, William Sherlach, and Robert Parker (collectively, Movants) for entry of an order (this Order) to set a status conference; and the Court having found that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that the relief requested is in the best interests of the Debtors' estates, its creditors, and other parties in interest; and appropriate notice having been provided under the circumstances of the Request, and that no other or further notice is required; and the Court having determined that the legal and factual bases set forth in the Request establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Request is GRANTED as set forth herein

---

<sup>1</sup> The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are as follows: InfoW, LLC f/k/a Infowars, LLC (6916). IWHealth, LLC f/k/a Infowars Health, LLC (no EIN), Prison Planet TV, LLC (0005). The address for service to the Debtors is PO Box 1819, Houston, TX 77251-1819.

2. A status conference is set for May \_\_\_\_, 2022 at \_\_:\_\_ a.m./p.m.

Dated: \_\_\_\_\_, 2022

---

UNITED STATES BANKRUPTCY JUDGE